



**Linda S. Adams**  
*Secretary for  
Environmental  
Protection*

# California Environmental Protection Agency

Air Resources Board • Department of Pesticide Regulation • Department of Toxic Substances Control  
Integrated Waste Management Board • Office of Environmental Health Hazard Assessment  
State Water Resources Control Board • Regional Water Quality Control Boards



**Arnold Schwarzenegger**  
*Governor*

Certified Mail: 7003 1680 0000 6174 8906

October 23, 2006

Ms. Carol Roberts, PhD., Director  
Sierra County Human Services Department  
P.O. Box 7  
Loyalton, CA 96118

Dear Dr. Roberts:

The California Environmental Protection Agency (Cal/EPA) conducted a program evaluation of Sierra County Environmental Health's Certified Unified Program Agency (CUPA) on October 5, 2006. The evaluation was comprised of an in-office program review. The State evaluators completed a Certified Unified Program Agency Evaluation Summary of Findings with your agency's program management staff, which includes identified deficiencies, preliminary corrective actions, and timeframes. Two additional evaluation documents are the Program Observations and Recommendations and the Examples of Outstanding Program Implementation.

The enclosed Summary of Findings is now considered final and based on review; I find that Sierra County Environmental Health's program performance is satisfactory with some improvement needed. To complete the evaluation process, please provide deficiency status reports to Cal/EPA every 90 days after the evaluation on your progress toward correcting the identified deficiencies. Submit deficiency status reports to JoAnn Jaschke. The first deficiency status report is due on January 3, 2007.

Cal/EPA also noted during this evaluation that Sierra County Environmental Health has worked to bring about a number of local program innovations, including: conducting a workshop to assist UST operators in complying with the laws and regulations, and implementing a solid process for documenting businesses that return to compliance. We will be sharing these innovations with the larger CUPA community through the Cal/EPA Unified Program web site to help foster a sharing of such ideas statewide.

Dr. Carol Roberts  
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Thank you for your continued commitment to the protection of public health and the environment through the implementation of your local Unified Program. If you have any questions or need further assistance, you may contact your evaluation team leader or Jim Bohon, Manager, Cal/EPA Unified Program at (916) 327-5097 or by email at [jbohon@calepa.ca.gov](mailto:jbohon@calepa.ca.gov).

Sincerely,

Don Johnson  
Assistant Secretary  
California Environmental Protection Agency

Enclosures

Cc: See next page

Dr. Carol Roberts  
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cc: Mr. Jim Perez, CUPA Manager  
Sierra County Environmental Health  
P.O. Box 7  
Loyalton, CA 96118

JoAnn Jaschke  
California Environmental Protection Agency  
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Sacramento, CA 95814

Mr. Kevin Graves (Sent Via Email)  
State Water Resources Control Board  
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Sacramento, California 94244-2102

Mr. Charles McLaughlin (Sent Via Email)  
Department of Toxic Substances Control  
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Mr. Mickey Pierce (Sent Via Email)  
Department of Toxic Substances Control  
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Ms. Vickie Sakamoto (Sent Via Email)  
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Sacramento, California 94244-2460

Mr. Moustafa Abou-Taleb (Sent Via Email)  
Governor's Office of Emergency Services  
P.O. Box 419047  
Rancho Cordova, California 95741-9047

## **Deficiencies and Corrective Actions**

1. **Deficiency:** Sierra County Environmental Health is not adequately assessing the general HazMAT and CalARP state surcharge fees.

**CUPA Corrective Action:** CUPA responds here

2. **Deficiency:** Sierra County Environmental Health is not annually reviewing or summarizing their review of their Unified Inspection and Enforcement Plan.

**CUPA Corrective Action:** CUPA responds here

3. **Deficiency:** Not all of the CUPA files contain current permits

**CUPA Corrective Action:** CUPA responds here

4. **Deficiency:** Not all of the CUPA files contain current business plans.

**CUPA Corrective Action:** CUPA responds here



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## **CERTIFIED UNIFIED PROGRAM AGENCY EVALUATION** **SUMMARY OF FINDINGS**

**CUPA: Sierra County Environmental Health**

**Evaluation Date: October 5, 2006**

### **EVALUATION TEAM**

**Cal/EPA: John Paine**  
**JoAnn Jaschke**  
**Jennifer Lorenzo**

This Summary of Findings includes the deficiencies identified during the evaluation, observations and recommendations for program improvement, and examples of outstanding program implementation activities. The evaluation findings are preliminary and subject to change upon review by state agency and CUPA management. Questions or comments can be directed to JoAnn Jaschke at (916) 323-2204.

	<b><u>Deficiency</u></b>	<b><u>Preliminary Corrective Action</u></b>
<b>1</b>	<p>The CUPA is not adequately assessing the general HazMAT and CalARP state surcharge fees. In FY 05/06 the CUPA assessed a \$17.50 Tiered permitting surcharge fee and a \$200.00 CalARP surcharge fee. The CUPA is collecting the correct state surcharge fee for UST.</p> <p>CCR, Title 27, Section 15210</p>	<p>By October 1, 2007, the CUPA will assess the correct HazMAT state surcharge of \$24.00 and the CalARP state surcharge of \$270.00.</p>
<b>2</b>	<p>The CUPA is not annually reviewing or summarizing their review of their Unified Inspection and Enforcement Plan.</p> <p>CCR, Title 27, Section 15200(f)(3)</p>	<p>By September 30, 2007, the CUPA will review their plan and summarize the review in their FY 06/07 Self-Audit.</p>

Certified Unified Program Agency (CUPA)  
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<b>3</b>	<p>Not all of the CUPA files contain current permits. Approximately 50% of the files reviewed contained expired permits. The CUPA holds permits until fees are paid. Therefore, some of the permits are only out-of-date for a few months.</p> <p>CCR, Title 27, Section 15190</p>	<p>By June 1, 2007, the CUPA will ensure that the CUPA files contain current permits.</p>
<b>4</b>	<p>Not all of the CUPA files contain current business plans. Approximately 50% of the files were missing these elements.</p> <p>HSC, Chapter 6.95, Section 25501(a)</p>	<p>By August 1, 2007, the CUPA will ensure that all businesses either submit a complete or updated business plan. An annual certification of no change to their inventory will also be accepted. The business plan will also include emergency response procedures and training program information.</p>

**CUPA Representative**

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
(Signature)

**Evaluation Team Leader**

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
(Signature)

Certified Unified Program Agency (CUPA)  
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**PROGRAM OBSERVATIONS AND RECOMMENDATIONS**

*The observations and recommendations provided in this section simply address those areas not specifically required of the CUPA by regulation or statute and are provided for continuous program improvement only.*

1. **Observation:** In FY 05/06 the CUPA initiated 3 civil referrals. To date, the cases are still on-going and the CUPA has not assessed penalties.

**Recommendation:** Once the penalties are assessed and collected, the CUPA should use the annual enforcement report to document the assessment and collection of penalties.

2. **Observation:** Approximately 95% of the CUPA inspections are combined inspections to efficiently conduct inspections on all the Unified Program elements.

**Recommendation:** The CUPA should accurately document the combined inspections conducted on the annual inspection summary report #3.

3. **Observation:** Most of their files are well organized with section tabs for application, permits, inspection correspondence. However, the documentation in some of the other files is intermingled together. The CUPA is in the process of converting all files to reflect the improved format.

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**EXAMPLES OF OUTSTANDING PROGRAM IMPLEMENTATION**

1. The CUPA's outreach to UST owners/operators is remarkable. The CUPA developed a program that included a workshop for regulated Businesses. The workshop helped designated operators obtain their UST certification. The CUPA Manager passed the UST Designated Operator examination. The certification was obtained to gain expertise and understanding to enable the CUPA to truly assist their small "ma and pop" UST owners in complying. The outreach also includes distributing fact sheet on HazWaste manifesting during inspections.
2. The CUPA does an excellent job in documenting violations in their Inspection reports by taking photographs of the violations.
3. The CUPA's process for documenting businesses that return to compliance is solid. The CUPA first sends businesses notices to comply that document any non-compliance from the inspection and request specific corrective actions. Then after the business has corrected any non-compliance, the CUPA sends businesses confirmation letters of compliance.
4. The CUPA's tracking of their accounting documentation is commendable. The files are well organized and thorough.